

Amendments to Senate Bill No. 205
1st Reading Copy

Requested by Senator Larry Jent

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 22, 2009 (2:43pm)

1. Page 1, line 11.
Following: "person"
Insert: "purposely or knowingly"
2. Page 1, line 12.
Following: "(a)"
Strike: "purposely or knowingly"
3. Page 1, line 13.
Following: "(b)"
Strike: "negligently"
4. Page 1, line 15.
Following: "(c)"
Strike: "purposely or knowingly"
5. Page 1, line 16.
Following: "injury"
Insert: "with a weapon"

- END -

(OVER)

SENATE BILL NO. 205

INTRODUCED BY J. BRUEGGEMAN

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF ASSAULT ON A HEALTH CARE PROVIDER OR EMERGENCY RESPONDER; AND PROVIDING PENALTIES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Assault on health care provider or emergency responder -- penalty

-- definitions. (1) A person commits the offense of assault on a health care provider or emergency responder if, while a health care provider or emergency responder is performing professional duties, the person: ^{purposely or knowingly}

(a) ~~purposely or knowingly~~ causes bodily injury to the health care provider or emergency responder;

(b) ~~negligently~~ causes bodily injury to the health care provider or emergency responder with a weapon;

or

(c) ~~purposely or knowingly~~ causes the health care provider or emergency responder reasonable apprehension of bodily injury. ^{with a weapon}

(2) A person convicted of assault on a health care provider or emergency responder shall be fined an amount not to exceed \$50,000 or be imprisoned for a term not to exceed 10 years, or both.

(3)(a) Except as provided in subsection (3)(b), the requirements of 45-5-206(4) through (7) and 45-5-232 through 45-5-234 apply to a person convicted under this section.

(b) The provisions of 45-5-206(4)(b)(iii) do not apply to this section.

(4) As used in this section, the following definitions apply:

(a) "Emergency responder" has the meaning provided in 45-5-214.

(b) "Health care provider" has the meaning provided in 50-4-504.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 45, chapter 5, part 2, and the provisions of Title 45, chapter 5, part 2, apply to [section 1].

- END -